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RCE/1655  
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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

December 19, 2001

**WRITER'S DIRECT NUMBER:**

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Commissioner for Patents  
Washington, D.C. 20231

**Art Unit 1655**

Re: U.S. Utility Patent Application  
Appl. No. 09/697,079; Filed: October 27, 2000  
For: **Methods and Compositions for Cloning Nucleic Acid Molecules**  
Inventors: Fox *et al.*  
Our Ref: 0942.4460002/RWE/BJD/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.116 along with Exhibit A;
3. Information Disclosure Statement;
4. Listing of the cited documents on Form PTO-1449 (6 sheets);
5. A copy of each of the twenty-nine (29) cited documents on Form PTO-1449;
6. Request for Continued Examination Transmittal (PTO/SB/30);
7. Our check no. **33597** in the amount of **\$740.00** to cover the fee under 37 C.F.R. § 1.17(e); and
8. Return Postcard.

TECH CENTER 1600/2900

DEC 26 2001

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Commissioner for Patents  
December 19, 2001  
Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

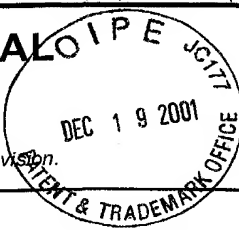


Brian J. Del Buono  
Attorney for Applicants  
Registration No. 42,473

BJD/pcd  
Enclosures

**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/697,079
Filing Date	October 27, 2000
First Named Inventor	Donna K. Fox
Examiner Name	Johannsen, D.
Group Art Unit	1655
Attorney Docket No.	0942.4460002/RWE/BJD/FRC

TOTAL AMOUNT OF PAYMENT (\$)**740.00****METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number **19-0036**  
 Deposit Account Name **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

☐ Charge Any Additional Fee Required  
 Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status  
 See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****I. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____ X _____ = _____		
Indep. Claims _____ - 3** = _____ X _____ = _____		
Multiple Dependent _____ = _____		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	740.00
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**740.00****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473	Telephone	202-371-2600
Signature		Date	Dec. 19, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



**Amendment Under 37 C.F.R. § 1.116  
Expedited Procedure - Art Unit 1632**

8/C  
B. Webb  
1/2/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FOX *et al.*

Appl. No. 09/697,079

Filed: October 27, 2000

For: **Methods and Compositions for  
Cloning Nucleic Acid Molecules**

Confirmation No.:

Art Unit: 1655

Examiner: Johannsen, D.

Atty. Docket: 0942.4460002/RWE/BJD/FRC

**Amendment and Reply Under 37 C.F.R. § 1.116**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

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In reply to the Office Action dated **September 19, 2001**, (PTO Prosecution File Wrapper Paper No. 6), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments.  
37 C.F.R. § 1.116; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

***Amendments***

***In the Claims:***

✓  
Please substitute the following claim 45 for the pending claim 45:

Sub D1

CL

45. (Twice amended) A composition comprising one or more restriction endonucleases and one or more polymerase inhibitors.